


COUNTY OF YORK

MEMORANDUM

DATE: May 1, 2006 (BOS Mtg. 5/16/06)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator 

SUBJECT: Application No. UP-699-06, Mark and Beth Saunders

ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-407(b)(2) of the York County Zoning Ordinance, to authorize a 386-square foot accessory apartment in conjunction with a single-family detached dwelling on a 0.64-acre parcel located at 114 August Drive (Route 1292) and further identified as Assessor's Parcel No. 25M-8-4-5.

DESCRIPTION

- Property Owner: Elizabeth A. and Mark P. Saunders TRS
- Location: 114 August Drive (Route 1292)
- Area: 0.64 acre
- Frontage: 173 feet on August Drive
- Utilities: Public water and public sewer
- Topography: Flat
- 2025 Land Use Map Designation: Low Density Residential
- Zoning Classification: RR - Rural Residential
- Existing Development: Single-family detached home and detached garage
- Surrounding Development:
 - North: Three single-family homes
 - East: Single-family home
 - South: Two single-family homes
 - West: Single-family home

- Proposed Development: Conversion of second floor space to an accessory apartment in a detached structure.

CONSIDERATIONS/CONCLUSIONS

1. The subject parcel is 0.64-acre in size and occupied by a single-family detached dwelling and a detached workshop (previously a garage). The parcel is flat and backs up to Goose Creek. The existing detached structure is located approximately 25 feet from the single-family home on the southeast side of the property. The proposed accessory apartment will be on the second floor of the existing workshop structure. The property owners removed the driveway that accessed the previous garage and landscaped the area, so vehicle access directly to the detached structure is no longer possible.
2. The surrounding properties have single-family detached dwellings developed on them. Three of these are to the rear of the property across Goose Creek. A drainage area with high grasses and a few mature trees buffer the closest home to the west, which is approximately 80 feet from the proposed accessory apartment. Across August Drive the closest houses are over 150 feet away. Public water and sewer currently serve the existing single-family structure and will serve the detached structure.
3. Accessory apartments in detached structures are permitted in the RR district with a Special Use Permit, provided the floor area of the accessory apartment does not exceed 800 square feet or 35% of the floor area of the principal dwelling, whichever is less. The principal dwelling on the property contains 2,582 square feet of floor area. The proposed accessory apartment would contain 386 square feet of habitable floor area, or 15% of the principal dwelling. The applicant has indicated the main use of the apartment is for a personal office/spare bedroom.
4. Performance standards for accessory apartments are set forth in Section 24.1-407 of the Zoning Ordinance. These limit the maximum number of accessory apartments to one per single-family detached dwelling, require adequate provisions for off-street parking, require occupancy only by family members or guests of the occupant of the principal dwelling, and prohibit the apartment from being rented separate from the principal dwelling. These standards have been included as conditions in the approving resolution.
5. The subject property can accommodate both the residential parking requirement (two spaces) and the proposed accessory apartment (two spaces). The single-family dwelling has an attached garage and the driveway has a parking area measuring approximately 23 feet in width and 58 feet in length. Since the minimum parking space dimensions in York County are 9 feet by 18 feet, the parking area described could accommodate four cars easily.

6. Property within the subdivision does not fall under the jurisdiction of an established homeowners' association. Regardless of any covenants that may be deeded, the County must evaluate the accessory apartment use within the context of the Zoning Ordinance and its standards. The County cannot be a party to the enforcement of private covenants and the approval of a Special Use Permit will not relieve the applicant of any responsibilities for compliance with any such covenants.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its April 12 meeting and conducted a public hearing at which the applicant answered questions. Following the public hearing, the Commission voted 7:0 to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

Given the above-noted standards, I am of the opinion that the subject parcel can accommodate the proposed accessory apartment with no adverse impacts on adjacent properties or County infrastructure. Therefore, I recommend that the Board approve the application through the adoption of proposed Resolution R06-68.

Carter: 3337/EWA

Attachments

- Planning Commission minutes excerpts, April 12, 2006
- Zoning map
- Sketch plan
- Floor plan
- Proposed Resolution R06-68